

Camden County Board of Commissioners

August 3, 2009

**Regular Meeting - 7:00 P.M.
Closed Session – 6:15 P.M.**

**Historic Courtroom, Courthouse Complex
Camden, North Carolina**

MINUTES

The regular meeting of the Camden County Board of Commissioners was held on Monday, August 3, 2009 at 7:00 p.m. with a closed session called at 6:04 p.m., in the Historic Courtroom, North Carolina. The following members were present:

Chairman Philip S. Faison
Vice Chairman Melvin J. Jeralds
Commissioners Sandy Duckwall, Garry Meiggs and Michael McLain

Also present was County Manager Randell Woodruff, Clerk to the Board Ava Gurganus and County Attorney John Morrison.

Chairman Philip Faison called the meeting to order at 6:03 p.m.

Closed Session

Commissioner Michael McLain made a motion to go into closed session pursuant to G.S. 143-318.11(a)(3) for the purpose of consultation with attorney. The motion passed with Commissioners Melvin Jeralds, Sandy Duckwall, Garry Meiggs, Michael McLain and Chairman Philip Faison voting aye; no Commissioner voting no; no Commissioner absent; and no Commissioner not voting.

The Commissioners entered closed session at 6:04 p.m.

Commissioner Sandy Duckwall made a motion to come out of closed session and into regular session. The motion passed with Commissioners Melvin Jeralds, Sandy Duckwall, Garry Meiggs, Michael McLain and Chairman Philip Faison voting aye; no Commissioner voting no; no Commissioner absent; and no Commissioner not voting.

The Commissioners entered regular session at 7:03 p.m.

Invocation and Pledge of Allegiance

Chairman Philip Faison called upon Commissioner Garry Meiggs to give the invocation and lead those present in the Pledge of Allegiance.

PRESENTATION: Khaner Walker – French/West/Vaughan

Khaner Walker reviewed and updated the Board regarding the public relations actions/strategies/tactics/goals in the opposition to the Navy OLF.

Public Comments

Debbie Daizo, representing Ashley and Clint Hamby, stated Ashley and Clint were in the process of purchasing property on Mullen Ditch Road, South Mills. They have been approved for financing. Complications were found during the title search. There is a non-conforming use and can not purchase the property with a clear title.

Permit Officer Dave Parks stated a conditional use permit was issued on the property and stated that the property owner could put a double wide on the property based on the condition that a stick built home be built within a certain period of time. Although the

permit expires, the conditions are still valid so in order for the buyers to obtain the property that will have to remove the existing doublewide home and replace it with a stick built home within a certain period of time. Mr. Parks requested that the Board consider an amendment to the Ordinance to allow any conditional use permit that was issued prior to a certain date be classified as a legal non-conforming use in order for this property to be sold without having to remove the doublewide home from the property and replacing it with a stick built home.

Hearing no further comments from the public, Chairman Philip Faison proceeded with the meeting.

Consideration of Agenda

Chairman Philip Faison added *Item 3. Consent Agenda, H. Direct Staff to Draft Amendment to UDO and Present to Planning Board.*

Commissioner Melvin Jeralds added *Item 6. New Business, F. Clearing of Noblitt Property* and *Item 6. New Business, G. Removal of House at 118 North 343 – Morrisette Property.*

Commissioner Gary Meiggs made a motion to approve the agenda as amended. The motion passed with Commissioners Melvin Jeralds, Sandy Duckwall, Garry Meiggs, Michael McLain and Chairman Philip Faison voting aye; no Commissioner voting no; no Commissioner absent; and no Commissioner not voting.

Consent Agenda

Commissioner Melvin Jeralds made a motion to approve the consent agenda as amended. The motion passed with Commissioners Melvin Jeralds, Sandy Duckwall, Garry Meiggs, Michael McLain and Chairman Philip Faison voting aye; no Commissioner voting no; no Commissioner absent; and no Commissioner not voting.

- **Consent Agenda**

June 29, 2009 Special Meeting subject to correction of typographical and technical errors.

July 06, 2009 Regular Meeting subject to correction of typographical and technical errors.

July 20, 2009 Regular Meeting Minutes subject to correction of typographical and technical errors.

Annual Settlement Report FY2008-2009

Authorization to Collect Taxes – April Vehicle Renewals in the amount of \$39,486.64.

Authorization to Collect Taxes - Real & Personal Property in the amount of \$6,508,366.66.

Volunteer Form – Carolyn Anderson

Direct Staff to Draft Amendment to UDO and Present to Planning Board.

- **End of Consent Agenda**

Old Business - Consideration of Ordinance No. 2009-07-02 – Amendment to Chapter 151 of the UDO of the Camden County Code of Ordinances

Following discussion of suggested changes with Permit Officer Dave Parks, Chairman Philip Faison laid this matter over until September 8, 2009.

New Business - Amendment to Personnel Policy – Article VII. Holidays and Leaves of Absences

Commissioner Melvin Jeralds asked if the holidays were based on a fiscal year, to which Human Resources Director Stephanie Jackson replied, yes.

Commissioner Michael McLain made a motion to approve the amendment to the Camden County Personnel Policy. The motion passed with Commissioners Melvin Jeralds, Sandy Duckwall, Garry Meiggs, Michael McLain and Chairman Philip Faison voting aye; no Commissioner voting no; no Commissioner absent; and no Commissioner not voting.

New Business - Governor's Crime Commission Grant

The Sheriff's Dept. has been awarded a grant from the Governor's Crime Commission for fifteen (15) Tasers, a non-lethal weapon, in the amount of \$14,354.62 and is requesting approval from the Board to accept the award. The grant requires a \$3,588.65 match, which will be taken out of the Sheriff's budget.

Commissioner Michael McLain made a motion to receive the Governor's Crime Commission grant award for the purchase of tasers in the Camden County Sheriff's department. The motion passed with Commissioners Melvin Jeralds, Sandy Duckwall, Garry Meiggs, Michael McLain and Chairman Philip Faison voting aye; no Commissioner voting no; no Commissioner absent; and no Commissioner not voting.

New Business - Dismal Swamp Trail Parking Lot

Public Works Manager David Credle stated the parking area for the southern end of the Dismal Swamp Trail is a small area on the shoulder of North Hwy. 343. The parking area can accommodate approximately six (6) vehicles, which have never been designated as a parking area. The parking area is too small to handle the vehicles on nights and weekends and the cars have to back out of the parking spaces into traffic. The County had Hobbs, Upchurch design a parking lot last year that has sixteen (16) parking spaces, including two (2) handicap spaces. The proposed lot would be located at the corner of US 17 & 343 North beside the trail.

Gretchen Byrum with NCDOT gave the County an estimate of \$35,000.00 for site grading and placement of six (6) inches of ABC stone for the proposed parking area.

Commissioner Michael McLain stated that he would prefer all projects that were not in the budget, go to the Budget and Finance Committee first for review and approval before being submitted to the Commissioners.

Commissioner Sandy Duckwall made a motion to approve \$35,000.00 for a parking lot located at the corner of US 17 & 343 North. The motion passed with Commissioners Garry Meiggs, Sandy Duckwall and Chairman Philip Faison voting aye; Commissioners Michael McLain and Melvin Jeralds voting no; no Commissioner absent; and no Commissioner not voting.

New Business - B & M Investments of NC LLC – Special Use Permit – UDO 2007-05-15 – Request for (12) Month Extension

Commissioner Garry Meiggs asked to be recused.

Chairman Philip Faison made a motion to recuse Commissioner Garry Meiggs from voting due to a personal interest. The motion passed with Commissioners Melvin Jeralds, Sandy Duckwall, Garry Meiggs, Michael McLain and Chairman Philip Faison voting aye; no Commissioner voting no; no Commissioner absent; and no Commissioner not voting.

Commissioner Garry Meiggs was recused prior to discussion and did not participate in discussion or voting.

Planning staff received a letter dated July 7, 2009 from B & M Investments requesting a one (1) year extension to their Special Use Permit approved by the Board of Commissioners July 16, 2007. In accordance with Article 151.512 of the Camden County Code of Ordinances, Special Use Permits shall expire two (2) years from the date of issuance. It also provides for a one (1) year extension granted by the permit issuing authority based on certain conditions.

Planning staff emailed DENR as to the status of their permit and received their stating they are waiting for additional information from the applicant and the Navy.

Following discussion from Permit Officer Dave Parks, Commissioner Michael McLain made a motion to approve a twelve (12) month extension for Special Use Permit – UDO 2007-05-15 to expire July 16, 2010. The motion passed with Commissioners Melvin Jeralds, Sandy Duckwall, Michael McLain and Chairman Philip Faison voting aye; no Commissioner voting no; no Commissioner absent; Commissioner Garry Meiggs recused; and no Commissioner not voting.

New Business - Notice of Renewal – Disaster Recovery Assistance

This matter was laid over until September 8, 2009 in order for Planning Director Dan Porter to explain the Notice of Renewal.

New Business - Clearing Noblitt Property

Commissioner Michael McLain made a motion to table clearing of the North 343 property, referred to as the Noblitt property, until next budget hearing.

Commissioner Sandy Duckwall stated that with the OLF situation up in the air, the Board does not know if the county will need a new school.

Commissioner Michael McLain added that the exact position of the landing strip is not known.

Chairman Philip Faison stated he had given the matter some thought and that the county should go on GovDeals.com and purchase a \$50,000.00 excavator and hire someone locally at \$20.00 an hour to clear it in three (3) months and then sell it back on GovDeals.com and asked why does the county have to put this out for bids for \$200,000.00 when this seems like a practical way to clean the field up.

Commissioner Garry Meiggs stated \$200,000.00 is an assumed number and the Board is not aware of what kind of prices they would get back and asked to move forward in getting bids and because the Board receives bids does not mean they have to be accepted.

Commissioner Garry Meiggs asked for an amendment to Commissioner Michael McLain's motion for exploration of bids.

Commissioner Michael McLain did not accept the request to amend his motion due to being defeated at budget time and feels that it is a waste of taxpayers funds.

Commissioner Melvin Jeralds reminded the Board that this matter was discussed during the public hearing for the Capital Improvement Plan and he was informed that the County had \$300,000.00 set aside in capital improvement that the money could be used from that fund.

Commissioner Garry Meiggs called the motion.

Commissioners Michael McLain, Sandy Duckwall and Chairman Philip Faison voting yes; Commissioners Garry Meiggs and Melvin Jeralds voted no; no Commissioner absent; and no Commissioner not voting.

New Business - Morrisette Property

Commissioner Michael McLain stated that he wanted to make sure that the demolition of the Morrisette Property was well bid, a public bid, and that everybody has an opportunity for a fair and open bid and that the bids be brought back to the Board.

It was the consensus of the Board to request proposals for the demolition of the brick house on the Morrisette Property.

SOUTH CAMDEN WATER & SEWER DISTRICT - BOARD OF DIRECTORS

Member Garry Meiggs made a motion to go into the South Camden Water and Sewer District Board of Directors meeting at 8:34 p.m.. The motion passed with Members Melvin Jeralds, Sandy Duckwall, Garry Meiggs, Michael McLain and Chairman Philip Faison voting aye; no Member voting no; no Member absent; and no Member not voting.

Member Michael McLain made a motion to adjourn the South Camden Water and Sewer District Board of Directors meeting. The motion passed with Members Melvin Jeralds, Sandy Duckwall, Garry Meiggs, Michael McLain and Chairman Philip Faison voting aye; no Member voting no; no Member absent; and no Member not voting.

The meeting adjourned at 8:47 p.m.

Commissioner's Report

Commissioner Michael McLain reported on a trip with Chairman Philip Faison to the National Association of Counties in Nashville, Tennessee. Commissioner Michael McLain stated he sent two (2) letters in regard to opposition of the OLF, a copy is in the Board packet and FEMA grant information has been forwarded to South Camden and South Mills Fire Department for future grants. FEMA peer reviewed grants are undergoing in Washington, DC by firefighters.

County Manager Randell Woodruff reported that the South Mills Fire Department received the Soil and Erosion Sedimentation report from the state. Both Fire Stations are moving forward.

Chairman Philip Faison stated that while attending the conference in Nashville, Tennessee he attended several sessions regarding "green" and also attended a meeting on how to run a meeting. Chairman Philip Faison stated that some states are mandated with rules and regulations and adjusted *Robert's Rules of Order* but every state has to run the meetings a certain way in regards to the rules. Chairman Philip Faison stated he is trying to get a copy of a video for the next Commissioner's retreat that showed how not to run a meeting. Chairman Philip Faison stated this Board does a great job and he is proud of the Board and in the session at the conference, they spoke of other Boards and how no one spoke to each other, no one gets along, no one wants to go to the meetings, members resign and some of the Board members end up in jail for fraud and other offenses and corruption. Chairman Philip Faison thanked the Board for allowing him the opportunity to attend the conference.

County Manager's Report

County Manager Randell Woodruff reported the following:

- Attended a manager's conference in Virginia
- Met Mike Johnson, County Administrator in South Hampton Virginia, and received his prospective regarding OLF and he was very envious of all the support from the Federal and State officials.
- The County Manager and Finance Officer met with representatives from East Carolina Behavioral Health.
- Had a call from Ray Jones, Elizabeth City Foundation, informing that the Foundation owns a small tract of property on the causeway that they would like to donate to the county. The taxes are approximately \$23.00/year and Mr. Jones asked if they donate the land to the county, would the county waive the tax bill.

Commissioner Michael McLain made a motion to accept the property from the Elizabeth City Foundation. The motion passed with Commissioners Melvin Jeralds, Sandy Duckwall, Garry Meiggs, Michael McLain and Chairman Philip Faison voting aye; no Commissioner voting no; no Commissioner absent; and no Commissioner not voting.

Commissioner Michael McLain recognized Finance Officer Clarann Mansfield. Mrs. Mansfield stated that the week of July 20, 2009 she attended the budget summit at Chapel Hill, North Carolina. Mrs. Mansfield stated that Bill Rivenbark commended the Board for increasing the water rates.

- Budget and Finance Committee meets Friday, August 7, 2009.
- There will be a NCDOT public meeting on Tuesday, August 25, 2009, 4:00 p.m to 7:00 p.m to discuss the reconstruction of Highway US 158 project and to replace existing draw bridge eastbound. Mr. Woodruff encouraged the Board to attend.
- Informing the Board of unexpected expenses due to odors in the Administration building for over a year or more. The odor is so bad that someone is coming to do air quality tests to determine the cause and origination of the odors. This matter has not been able to be resolved in house. Mr. Woodruff felt the matter can not go on unaddressed because employees have registered suffering headaches and other problems.
- The Administration Building has handicap accessibility issues and Mr. Woodruff will be going to Raleigh to talk with State officials and advised this may also create unexpected expenses.

Adjournment

Chairman Philip Faison adjourned the meeting at 9:02 p.m.

Philip S. Faison, Chairman
Camden County Board of Commissioners

ATTEST:

Ava J. Gurganus
Clerk to the Board